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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,314	12/19/2005	Hiroshi Yahata	92478-8400	6274
53044 7590 08/19/2008 SNELL & WILMER L.L.P. (Matsushita) 600 ANTON BOULEVARD SUITE 1400 COSTA MESA, CA 92626				
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HUR, ECE				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/561,314

**Applicant(s)**

YAHATA ET AL.

**Examiner**

ECE HUR

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,5,6 and 9-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6 and 9-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/19/2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/08)  
Paper No(s)/Mail Date 01/31/2008
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is responsive to Remarks filed on February 19, 2008 in which Claims 1, 2, 5-6, 9-14 are presented for examination. This application is a 371 of PCT/JP04/09515, filed on June 29, 2004. Applicant is claiming priority for the application 60/483,228, filed on June 20, 2003.

#### ***Status of Claims***

Claims 1, 2, 5-6, 9-14 are pending in the case. Claims 1, 5, 9, 10 and 11 are the independent Claims.

Claims 1, 2, 5, 6, 9, 10-14 are rejected under Double Patenting.

Claims 1, 5, 6, 9-11, 12 and 14 are rejected under 35 U.S.C. 102(b).

Claims 2, 6 and 13 are rejected under 35 U.S.C. 103(a).

#### ***Response to Arguments***

Applicant's arguments, filed February 19, 2008, with respect to the rejection(s) of claim(s) have been fully considered, amendment necessitated new grounds of rejection. See rejection details.

1) Regarding provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 2, 5, 7, 9, 10, 11 of copending Application No. (11/212,801) is withdrawn, because the applicant filed a terminal disclaimer.

2) Applicant argues that animation and menu buttons are overlaid.

Applicant should duly note that Murase discloses that aspect in FIG. 18 and FIG. 20, wherein graphic stream is overlaid with motion picture(V250).

3) Applicant is referring to FIG. 8 in terms of button and graphics overlay relation. However, FIGs. 1, 18, 19A, 20 discloses the claimed aspect.

4) Applicant should duly note that at the time of the invention Blu-ray technology was well known.

5) Applicant argues that grouping data graphics before displaying provides more efficient display. However, Murase discloses also a grouping concept in FIG. 8, wherein the items in a menu are in any of the standard state, selection state, and determination state. The state changes with user operations. For example, in FIG. 8, the reproduction apparatus displays, for the default operation, item #1 as the selection state and other items as standard state. If the standard state is white, selection state blue, determination state red, then, only the item for item #1 is blue. With this arrangement, the user can check which item is in the selection state (the item in the selection state is also called the item specified by the cursor). The user can change the item in the selection state by pressing any of up/down/left/right cursor keys. The reproduction apparatus stores information on the cursor destinations for respective up/down/left/right cursor keys, which is later described in detail. (Murase, Column 15, lines 52-63).

According to the remarks, applicant is referring to the grouping of graphic stream(moving images, animation), however the Claim language claims the grouping of graphics data(buttons).

6) Furthermore, Murase addresses the issue of an extended waiting time, wherein for example, the management information pack may be synchronized with an image frame reproduced per a thirtieth second, being far less than 0.5 to 1.0 seconds. (Murase, Column 43, lines 33-46).

Murase, discloses the claimed aspect of reproduction information indicates a synchronization point on a reproduction time axis of said main stream and interactive display is represented to be overlayed with a picture of said video stream in said reproduction section of said main stream, wherein the time axis is given as management information pack may be synchronized with an image frame reproduced per a thirtieth second, being far less than 0.5 to 1.0 seconds. (Murase, Column 43, lines 43-46).

#### ***Information Disclosure Statement Acknowledgement***

The information disclosure statement filed on January 31, 2008 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, the information referred to therein has been considered as to the merits.

### ***Specification Objection***

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Drawings Objection***

Due to the lengthy specification the drawings has not been checked to the extend necessary to determine whether the drawings are comply with 37 CFR 1.84(p)(4) and (p)(5).

### ***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

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A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 2, 5, 6, 9, 10-14 of the currently examined application (10/561,314) provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-11 of copending Application No. (11/508,136, 11/508,132, 11/508,094). Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to one of ordinary skill in the art at the time of the invention. Exemplary Claims from both applications is provided in Table 1, Table 2, Table 3.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

**Table 1**

Current Application:	Copending Application:	
10/561,314(Claim 5)	11/508/136(Claim 5)	
A reproduction apparatus for reproducing a video stream and a graphics stream, said apparatus	A reproduction apparatus for reproducing a digital stream into which a video stream and a graphics stream are multiplexed, said	

<p>comprising:</p> <p>a graphics decoder operable to decode the graphics stream which represents an interactive display including a plurality of graphical button materials to be overlaid with a motion picture, wherein:</p>	<p>reproduction apparatus comprising:</p> <p>a video decoder operable to decode the video stream into a motion picture made of a plurality of pictures; and</p> <p>a graphics decoder operable to decode the graphics stream representing an interactive display overlaid with the motion picture, the interactive display including a plurality of graphical button materials; wherein:</p>	
<p>the graphics stream includes a plurality of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials;</p> <p>the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials; and</p>	<p>the graphics stream includes a plurality of pieces of graphics data that are grouped under state sets;</p> <p>the state sets respectively correspond to different states of at least one button material and are disposed in a sequential order.</p>	
<p>said reproduction apparatus uses one of (a) the graphics data belonging to a top set and (b) the graphics data belonging to a second-place set in the plurality of graphics data sets for presenting an initial display of the interactive display, and uses the graphics data belonging to remaining ones of the plurality of graphics data sets for updating the interactive display upon a user operation.</p>	<p>said graphics decoder uses, for presenting the initial display of the interactive display, graphics data belonging to a top state set and at least a piece of graphics data that belong to a second-order state set, and uses remaining graphics data belonging for updating the interactive display upon a user operation.</p>	

Table 2

Current Application: 10/561,314(Claim	Copending Application: 11/508/132(Claim 5)	
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5)		
<p>A reproduction apparatus for reproducing a video stream and a graphics stream, said apparatus comprising:</p> <p>a graphics decoder operable to decode the graphics stream which represents an interactive display including a plurality of graphical button materials to be overlaid with a motion picture, wherein:</p>	<p>A reproduction apparatus for reproducing a digital stream into which a video stream and a graphics stream are multiplexed, said reproduction apparatus comprising:</p> <p>a video decoder operable to decode the video stream into a motion picture made of a plurality of pictures; and</p> <p>a graphics decoder operable to decode the graphics stream representing an interactive display overlaid with the motion picture, the interactive display including a plurality of graphical button materials; wherein:</p>	
<p>the graphics stream includes a plurality of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials;</p> <p>the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials; and</p>	<p>the graphics stream includes a plurality of pieces of graphics data that are grouped under state sets;</p> <p>the state sets respectively correspond to different states of at least one button material and are disposed in a sequential order.</p>	
<p>said reproduction apparatus uses one of (a) the graphics data belonging to a top set and (b) the graphics data belonging to a second-place set in the plurality of graphics data sets for presenting an initial display of the interactive display, and uses the graphics data belonging to remaining ones of the plurality of graphics data sets for updating the interactive display upon a user operation.</p>	<p>said graphics decoder uses, for presenting the initial display of the interactive display, graphics data belonging to a top state set and at least a piece of graphics data that belong to a second-order state set, and uses remaining graphics data belonging for updating the interactive display upon a user operation.</p>	

**Table 3**

Current Application: 10/561,314(Claim 5)	Copending Application: 11/508/094(Claim 5)	
<p>A reproduction apparatus for reproducing a video stream and a graphics stream, said apparatus comprising:</p> <p>a graphics decoder operable to decode the graphics stream which represents an interactive display including a plurality of graphical button materials to be overlaid with a motion picture, wherein:</p>	<p>A reproduction apparatus for reproducing a digital stream into which a video stream and a graphics stream are multiplexed, said reproduction apparatus comprising:</p> <p>a video decoder operable to decode the video stream into a motion picture made of a plurality of pictures; and</p> <p>a graphics decoder operable to decode the graphics stream representing an interactive display overlaid with the motion picture, the interactive display including a plurality of graphical button materials; wherein:</p>	
<p>the graphics stream includes a plurality of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials;</p> <p>the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials; and</p>	<p>the graphics stream includes a plurality of pieces of graphics data that are grouped under state sets;</p> <p>the state sets respectively correspond to different states of at least one button material and are disposed in a sequential order.</p>	
<p>said reproduction apparatus uses one of (a) the graphics data belonging to a top set and (b) the graphics data belonging to a second-place set in the plurality of graphics data sets for presenting an initial display of the interactive display, and uses the graphics data belonging to remaining ones of the plurality of graphics data sets for updating the interactive display upon a user</p>	<p>said graphics decoder uses, for presenting the initial display of the interactive</p> <p>display, graphics data belonging to a top state set and at least a piece of graphics data that belong to a second-order state set, and uses remaining graphics data belonging for updating the interactive display upon a user operation.</p>	

operation.		
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***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1, 5, 9-12, 14** are rejected under 35 U.S.C. 102(b) as being anticipated by Murase, US Patent 5,907,658.

Regarding Claim 1, Murase discloses multimedia optical disk, reproduction apparatus and method for achieving variable scene development based on interactive control.

Murase discloses the claimed aspect of a recording medium comprising a graphics stream which represents an interactive display including a plurality of graphical button materials to be overlaid with a motion picture in FIG.1A, FIG.18, FIG. 19A and FIG. 20, wherein graphic stream is illustrated that is

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overlayed with motion picture. Furthermore, elementary streams other than moving picture elementary streams are also called sub-streams. In DVD, a VOB can include a moving picture elementary stream and 32 sub-picture sub-streams at maximum. In this case, the 32 sub-streams has identification numbers #0-#31. (Murase, Column 14, lines 39-42).

Murase discloses the claimed aspect of said graphics stream includes a plurality of graphics data set each forming a group of graphics data which renders a predetermined state of said graphical button materials and plurality of graphics, data sets respectively renders different predetermined states of said graphical button materials in FIG.8 , wherein the items in a menu are in any of the standard state, selection state, and determination state. The state changes with user operations. For example, in FIG. 8, the reproduction apparatus displays, for the default operation, item #1 as the selection state and other items as standard state. If the standard state is white, selection state blue, determination state red, then, only the item for item #1 is blue. With this arrangement, the user can check which item is in the selection state (the item in the selection state is also called the item specified by the cursor). The user can change the item in the selection state by pressing any of up/down/left/right cursor keys. The reproduction apparatus stores information on the cursor destinations for respective up/down/left/right cursor keys, which is later described in detail. (Murase, Column 15, lines 52-63). (Murase, Column 1, lines 40-67). Additionally, in FIG. 36 graphic stream is overlayed with video stream.

Regarding Claim 5, Murase discloses the claimed aspect of a reproduction apparatus for reproducing a video stream and a graphics stream, a graphics decoder operable to decode the graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture in FIG. 24, wherein a block diagram showing the construction of the DVD player used in the present embodiment. The DVD player includes optical disk drive 16, optical pickup 82, optical disk drive controlling unit 83, signal processing unit 84, AV decoding unit 85, remote control receiving unit 92, and system controlling unit 93. AV decoding unit 85 comprises signal separating unit 86, video decoder 87, sub-picture decoder 88, audio decoder 89, and picture mixing unit 90. Furthermore a graphics decoder operable to decode the graphics stream representing an interactive display overlayed with the motion picture. (Murase, Column 28, lines 50-58).

Murase, discloses the claimed aspect of graphics stream includes a plurality of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials in FIG. 19 A and B illustrates an interactive display including at least one graphical button material.

Murase discloses the claimed aspect of said graphics stream includes a plurality of graphics data set each forming a group of graphics data which renders a predetermined state of said graphical button materials and plurality of graphics, data sets respectively renders different predetermined states of said graphical button materials in FIG. 10, wherein graphics stream includes a plurality of pieces of graphics data that are grouped under state sets and the

state sets correspond to different states of at least one button material and are disposed in a sequential order.(Murase, Column 15, lines 52-63).

Murase achieves the claimed aspect of reproduction apparatus uses on of a graphics data respectively belonging to a top set and the graphics data belonging to a second-place set in the plurality of graphics data sets for presenting an initial display of the interactive display, and uses the graphics data belonging to remaining ones of the plurality of graphics data sets for updating the interactive display upon a user operation, wherein the items in a menu are in any of the standard state, selection state, and determination state. The state changes with user operations. For example, in FIG. 8, the reproduction apparatus displays, for the default operation, item #1 as the selection state and other items as standard state. If the standard state is white, selection state blue, determination state red, then, only the item for item #1 is blue. With this arrangement, the user can check which item is in the selection state (the item in the selection state is also called the item specified by the cursor). The user can change the item in the selection state by pressing any of up/down/left/right cursor keys. The reproduction apparatus stores information on the cursor destinations for respective up/down/left/right cursor keys, which is later described in detail. (Murase, Column 15, lines 52-63).

Regarding Claim 9, the steps used to achieve the recording medium consists of the method of recording medium. The rejection for Claim 1 applies to Claim 9. See the rejection details for Claim 1.

Regarding Claim 10, Murase discloses the aspect of a computer readable medium storing for enabling a computer to reproduce a graphics stream, said program comprising code operable to cause the computer to perform the steps of reproduction apparatus for reproducing in FIG.22 and FIG. 4B, wherein Video Title Sets V1 and V2 are interactive software titles. These interactive software titles are achieved by the data structure characteristic to the optical disk of the present embodiment. (Murase, Columns 10-11, lines 65-68, lines 1-9). The rejection for Claim 5 applies to Claim 10. See the rejection details for Claim 5.

Regarding Claim 11, the steps used to achieve a reproduction apparatus can be used to achieve the methods of reproducing. The rejection for Claim 5 applies to Claim 11. See the rejection details for Claim 5.

Regarding Claims 12 and 14, the rejection for Claims 1 and 5 apply to Claims 12, 14. See rejection details for Claims 1 and 5. Applicant should duly note that at the time of the invention Blu-ray Technology was well known and it would be obvious to one of ordinary skill in the art at the time of invention to incorporate Blu-ray technology because this format offers more than five times the storage capacity of traditional DVDs and can hold up to 25GB on a single-layer disc and 50GB on a dual-layer disc.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2, 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murase, US 5907,658 in view of Yamauchi, US 6,381,398.

Regarding Claim 2, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Murase discloses the claimed



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aspect of recording medium with different predetermined states are respectively a normal state, a selected state, and an active state and plurality of graphics data sets are disposed in an order, wherein the items in a menu are in any of the standard state, selection state, and determination state. The state changes with user operations. For example, in FIG. 8, the reproduction apparatus displays, for the default operation, item #1 as the selection state and other items as standard state. If the standard state is white, selection state blue, determination state red, then, only the item for item #1 is blue. With this arrangement, the user can check which item is in the selection state (the item in the selection state is also called the item specified by the cursor). The user can change the item in the selection state by pressing any of up/down/left/right cursor keys. The reproduction apparatus stores information on the cursor destinations for respective up/down/left/right cursor keys, which is later described in detail. (Murase, Column 15, lines 52-63).

Even if not, Yamauchi discloses the claimed aspect of recording medium with different predetermined states are respectively a normal state, a selected state, and an active state and plurality of graphics data sets are disposed in an order, wherein an interleaving unit that can divide the pieces of audio data and the pieces of video data that form the video objects into new video objects which can be interleaved into the reproduction order of video objects without requiring a re-encoding of the entire set of video objects that constitute sequences of scenes for the audio video product.

It would be obvious to one of ordinary skill in the art at the time of the invention to add dividing video object concept to Murase's scene development based on interactive control system, because this allow more efficient display for the user.

Regarding Claim 6, most of the limitations have been met in the rejection of Claim 5. See the rejection of Claim 5 for details. Murase discloses the claimed aspect of the reproduction apparatus the different predetermined states are respectively a normal state, a selected state, and an active state and the plurality of graphics data sets are disposed in an order of a normal-state set, a selected-state set, and an active-state Set, wherein Firstly, the items in a menu are in any of the standard state, selection state, and determination state. The state changes with user operations. For example, in FIG. 8, the reproduction apparatus displays, for the default operation, item #1 as the selection state and other items as standard state. If the standard state is white, selection state blue, determination state red, then, only the item for item #1 is blue. With this arrangement, the user can check which item is in the selection state (the item in the selection state is also called the item specified by the cursor). The user can change the item in the selection state by pressing any of up/down/left/right cursor keys. The reproduction apparatus stores information on the cursor destinations for respective up/down/left/right cursor keys, which is later described in detail. If the user presses the determination key on the remote controller while the cursor stays at an item in the selection state, the user can determine the item. The item

turns to red from blue. Then, a command specified for the determination state is executed. In FIG. 8, the reproduction control is performed for the determined item. (Murase, Columns 15-16, lines 52-67, lines 1-4).

Murase, discloses the claimed aspect of that the graphics decoder includes a graphics processor operable to decode the graphics data and an object buffer operable to store of decompressed graphics data obtained by the decoding, wherein a graphics plane operable to store at least some of the decompressed graphics data in a graphics data that are to be overlayed with the motion in FIG. 24, wherein a block diagram showing the construction of the DVD player used in the present embodiment. The DVD player includes optical disk drive 16, optical pickup 82, optical disk drive controlling unit 83, signal processing unit 84, AV decoding unit 85, remote control receiving unit 92, and system controlling unit 93. AV decoding unit 85 comprises signal separating unit 86, video decoder 87, sub-picture decoder 88, audio decoder 89, and picture mixing unit 90. (Murase, Column 28, lines 50-58).

Murase discloses the claimed aspect of a graphics controller operable to write the decompressed graphics data in a graphics data set for rendering the selected state to said graphics plane in FIG. 24, wherein Graphics controller as system controlling unit 93 is illustrated.

Even if not, Yamauchi discloses the claimed aspect of recording medium with different predetermined states are respectively a normal state, a selected state, and an active state and plurality of graphics data sets are disposed in an order, wherein an interleaving unit that can divide the pieces of audio data and

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the pieces of video data that form the video objects into new video objects which can be interleaved into the reproduction order of video objects without requiring a re-encoding of the entire set of video objects that constitute sequences of scenes for the audio video product.

It would be obvious to one of ordinary skill in the art at the time of the invention to add dividing video object concept to Murase's scene development based on interactive control system, because this allow more efficient display for the user.

Regarding Claim 13, most of the limitations have been met in the rejection of Claim 12. See the rejection of Claim 12 for details. The rejection for Claim 2 applies to Claim 13. See rejection details for Claim 2.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- 1) Gonzalez, Ruben, US 20070005795 A1, 01/04/2007, "Object Oriented Video System".
- 2) Dom, et al., US 6,166,735, 2/26/2000, "Video story board user interface for selective downloading and displaying of desired portions of remote-stored video data objects".
- 3) Matsui, et al., US 6,580,756, 06/17/2003, "Data transmission method, data transmission system, data receiving method, and data receiving apparatus".
- 4) Sull, Sanghoon, et al., US 20060064716 A1, 03/23/2006, "Techniques for navigating multiple video streams".
- 5) De Haan, et al., US 6,701,064, 03/02/2004, "Record carrier, and apparatus and method for playing back a record carrier, and method of manufacturing a record carrier".
- 6) Shiraishi Ryuichi, Fujiwara Shiro, JP2001332006, 11/30/2001, "Back Ground Image Capturing System".
- 7) Hamada et al., US 20050105888, 05/19/2005, "Reproducing device, reproduction method, reproduction program, and recording medium".
- 8) Yoo et al., US 20050149214, 07/07/2005, "Recording medium having a data structure for managing sound data and recording and reproducing methods and apparatus".
- 9) Hamada et al., US 20060140079, 06/29/2006, "Reproduction device, reproduction method, reproduction program, and recording medium".

10) Seo et al., US 20040067048, "Recording medium having a data structure for managing reproduction of graphic data and recording and reproducing methods and apparatuses".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is 571 270-1972. The examiner can normally be reached on MONDAY-THURSDAY 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM BASHORE can be reached on (571) 272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Ece Hur

E.H./e.h.

July 30, 2008

/Kieu D Vu/

Primary Examiner, Art Unit 2175